CERTIFICATE OF SERVICE

I, Jean Marie Hackett, an attorney admitted to practice in this Court, hereby certify under penalties of perjury that on May 2, 2008, I caused true and correct copies of the within THIRD PARTY COMPLAINT, INDIVIDUAL PRACTICES OF JUDGE KAPLAN, 3RD

AMENDED INSTRUCTIONS FOR FILING AN ELECTRONIC CASE OR APPEAL,

PROCEDURES FOR ELECTRONIC CASE FILING, AND GUIDELINES FOR

ELECTRONIC CASE FILING, to be served by hand delivery upon counsel listed below:

Stephen R. Stern, Esq. Hoffinger Stern & Ross LLP 150 East 58th Street 19th Floor New York, NY 10155 Arthur E. Brown, Esq. Michael Lynn, Esq. Kaye Scholer LLP 405 Park Avenue New York, NY 10022 Philip R. White, Esq. Mark D. Youngelson, Esq. Sills Cummis & Gross P.C. 1 Rockefeller Plaza New York, NY 10020

Dated: New York, New York May 5, 2008

Jean Marie Hackett